

9. (amended) The composition according to claim 21 wherein the pharmaceutical active[s] has a molecular weight of less than 500 grams per mole, is capable of being ionized when in an aqueous solvent and has an octanol-water partition coefficient when in the un-ionized form of at least 100.

a3 10. (amended) The composition according to claim 9 wherein the pharmaceutical active is selected from the group consisting of antitussives, antihistamines, non-sedating antihistamines, decongestants, expectorants, analgesic mucolytics, antipyretic anti-inflammatory agents, local anesthetics and mixtures thereof.

11. (amended) The composition according to claim 10 wherein the concentration of the pharmaceutical active in the solvent is less than or equal to 125% of the percent solubility value of said active.

a4 15. (amended) The composition according to claim 14 wherein the solvent comprises from about 70% to about 99% by weight of the composition.

The amendments made herein above present no new matter. Antecedent basis for claim 21 is found in the specification at page 8, lines 24 through 25 and page 9, lines 10-13.

Remarks

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

Claims 4-7, 9-21 are currently pending.

1. Claims 1-20 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

The applicants wish to thank the examiner for his careful reading of the claims and pointing out the inconsistencies as noted in the office action dated January 19, 2001. As a result the applicants herein amend the claims to obviate the above rejection. The claims are believed to now be in proper form.

2. Claims 1-20 are rejected under 35 USC §102(b) as being anticipated by Gallo-Torres et al. ('543) and Wolf et al. ('965) and Haas ('666) and Arias ('446).

Before addressing the specifics of this rejection and for purposes of facilitating prosecution, the applicants would like to briefly review the details of the present invention. As discussed on page eight of the pending application, the applicants discovered that addition of reducing agents provided a beneficial chemical stabilizing effect. At first blush this appears to be no real surprise. A person not very familiar with the area of chemical oxidation/reduction could probably surmise that since reduction is the opposite of